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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,753	08/02/2000	David C. Taylor	2852.2.1	8043

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/630,753

Applicant(s)

TAYLOR ET AL.

Examiner

CUONG H. NGUYEN

Art Unit

3661

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-51 is/are pending in the application.
- 4a) Of the above claim(s) 29-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-28 and 41-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Priority

1. Applicants' claim for domestic priority under 35 U.S.C. 119(e) is acknowledged based on the provisional application S.N. 60/146,878 filed on 8/03/1999.

Information Disclosure Statement

2. A supplemental IDS was received on 6/10/2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 21-28, 41-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Maynard, (US Patent No. 6,175,830).

A. As to Claims 21, 41, and 51-52: Maynard teaches a method which including information retrieval/extracting information

desired by a user from an Internet source/web page (see Maynard, the Abstract), more specifically web pages resident on the Internet which are interest to users from the search results (see Maynard, the Abstract), an input module to acquire text from a user (see Maynard, 13:53-58); Maynard teaches a search engine, more specifically user entering the search query element , further it is noted that Maynard teaches various modules for example index module, search module, break module (see Maynard, Fig. 1,4) may include search word/phrases through user interface (a user interface corresponds to an input module for acquiring text from a user); a filtering module programmed to determine a micro-context relevant to the text (see Maynard, 13:13-17,25-29; and 14:4-15,44-53). Maynard teaches a search engine capable of not only searches wide varieties of information/databases, but also matching information based on user input including optional filter that will filter out web sites that corresponds to filtering module; Maynard utilizes a search query to search through database records to find a database records element, matching the words or phrases in the search query (see Maynard, 14:4-7). Maynard teaches a break module that break-up information into finite elements (e.g., paragraphs, sections, sub-sections, segments - see Maynard 1:57-64) corresponds to matching a relevant micro-context, and a filtering module further programmed to locate information corresponding to the

micro-context in a database (see Maynard, 2:21-24, 60-66, and 14:44-53); Maynard teaches about locating related information by matching the micro-context in a database corresponds to match between search word/phrase and the non-common word/phrase contained within the database records (see Maynard, 14:44-53). Maynard also teaches a system which including micro-context is independent of a hierarchical ordering of the database (see Maynard, 6:6-13).

B. As to claim 22: Maynard also teaches about Internet information/link may be a finite element for matching the specific search requested, therefore, micro-context is integral part of Maynard's information retrieval system (i.e., a micro-context is merely a construction module to combine words in the text to form the information characteristic (see Maynard, 4:6-13, 14:4-28, and 4:17-26).

C. As to claims 23-24: Maynard also teaches dividing the informational resources into finite elements, these finite elements corresponds to micro-context information a context comparison module to determine a macro-context relevant to the information by comparing the micro-context to the corpus (see Maynard, 3:64 to 4:5, 33-51, and 6:30-39), (please note that macro-context corresponds to web pages because web pages containing tags, links, words, phrases; finite elements/micro-context to the corpus corresponds to embedded categorical tags

in database (see Maynard, 3:64-67, and 4:1-5; an information matching module to locate information corresponding to the macro-context in the database (see Maynard, 3:64 to 4:5; and 4:33-51)).

Maynard also teaches that database being contextually indexed for searching by context (see Maynard, 6:30-39); an index module is used in a search database (see Maynard, Fig. 1, 6:30-33).

D. As to claim 25: Maynard also teaches a module to receive the information and present the search result information to a user (it may be a common presentation format or a "popular" presentation format (see Maynard, Fig. 1, 5:40-52, and 12:34-38)).

E. As to claim 51: The examiner respectfully submits that this claim contains analogous limitations of rejected claim 21; In addition to claim 41's limitations, Maynard also teaches about operating independently from the schema to locate a subset of the information in the database (merely matching input text within categorical tags (research-centric)/ within finite elements - see Maynard, 13:53 to 14:3, and 6:9-13); Maynard teaches a system which including database comprises a subset to store information for future access by a user (see Maynard, 13:40-49).

F. As to claim 52: Maynard determines a micro-context of the textual query by assembling selected words from the textual query (see Maynard, 3:53-58).

G. As to claims 26, 48: Maynard teaches a method using a filtering module comprises a context construction module to combine words in the text to form the micro-context being a characteristic of that information (see Maynard, 3:64-67, 4:1-5, 13:13-17, 25-29, and 14:4-15, 44-53).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-28, 42-46, 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maynard (US Pat. 6,175,830), in view of Sheard et al., (US Pat. 6,453,356).

A. As to claims 27, 42-46, and 48, 50:

The rationales and reference for a rejection of claim 21 are incorporated.

Maynard does not disclose of tracking a user's input to know his navigation path/strategy.

However, Sheard et al. suggest that idea (see Shear et al., 3:7-9, and claim 7).

B. As to claims 28, and 49: Maynard teaches a system which including mining module to add/updating new data to the database by selectively retrieving the new data from the source (see Maynard 6:13-18; and 13:25-29,49-52).

One of the ordinary skills in the art at the time of applicant's invention would have been motivated to combine Maynard and Sheard et al. applications for tracking a user's input on the Internet because that would have allowed a user to review, retrieval, modify, and display input data in the future.

Conclusion

5. All pending claims are unpatentable.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7:15 am - 3:45pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cuong H. Nguyen

CHN
CUONG H. NGUYEN
Primary Examiner
Art Unit 3661